

Chapter 5
ARTICLE 51, FOOD SERVICE
Revised February 28, 2006

54080.1 Policy

The California Department of Corrections and Rehabilitation (CDCR) shall provide inmates with a healthy and nutritionally balanced diet, served in an orderly manner with food flavor, texture, temperature, appearance and palatability taken into consideration. Current Recommended Dietary Allowances (RDA), and Dietary Reference Intakes (DRI) as established by the Food and Nutrition Board of the Institute of Medicine, National Academy of Science shall be considered authoritative in setting levels of nutritional need. Sanitation, safety, and food handling standards and practices shall be established and maintained in keeping with applicable requirements established by the Industrial Safety Standards (California Code of Regulations (CCR), Title 8) and the California Health and Safety Code (H&SC).

54080.2 Purpose

This article provides instructions and guidelines for properly administering the food service program at CDCR institutions.

54080.3 Responsibility

The Departmental Food Administrator (DFA) represents the CDCR in all food service issues and activities. The DFA develops, administers, and monitors CDCR's food service programs while the institution heads are responsible for their respective food service operations and oversight of Institution Chaplains. Physicians at each institution are responsible for prescribing outpatient therapeutic diets, nourishments, and supplements.

54080.4 Review of CDCR Menu

The standardized CDCR Menu and nutritional analysis shall be reviewed by a registered dietitian on an annual basis to ensure compliance with the RDA and DRI. This review shall be coordinated through the DFA's office and any findings shall be reported to the DFA.

54080.5 Hot Meals

No more than 14 hours shall elapse between the evening meal and breakfast. A minimum of two hot meals shall be served every 24-hours with three meals provided at regular hours during each 24-hour period. Variations to the two hot meals per day requirement may be allowed to accommodate religious observances and religious diet programs and institution emergencies. Inmates shall be allowed 20 minutes in the dining halls to eat their meals after receipt of their food tray. The institution head or designee may, at his/her discretion, modify the time allotment based on operational necessity. The time allotment may be increased by the Chief Medical Officer for inmates in licensed health care facilities, or due to an individual inmate's documented medical or disability requirements.

54080.6 Diets

The standardized CDCR "Heart Healthy" menu shall be followed by all institutions for all general population meals. Physicians prescribing a therapeutic diet shall be limited to renal dialysis, gluten-free diets, or other situations as defined by Division of Correctional Health Care Services.

The DFA shall ensure that:

- The CDCR food plan meets the dietary needs of most inmates by providing a CDCR "Heart Healthy," low fat, low salt diet.
- A nutritional analysis of the CDCR food plan is done whenever menu changes are made.
- That standardized CDCR recipes are maintained, consistent with the CDCR menu.

Each institution's food service program is responsible for the procurement, and preparation of Physician-ordered nourishments. Either institutional Food Service's or Health Care Services is responsible for distribution of nourishments to inmates. Procurement, preparation, and distribution of inmate nutritional supplements are the responsibility of institutional Health Care Services.

Institution heads and correctional food managers (CFM) shall ensure consistent adherence to the CDCR standardized menus and recipes, and CDCR Menu Substitution Guidelines.

54080.7 Food Service Handbook

In addition to this article, the Food Services Handbook provides information and copies of the forms necessary to keep food service records. The Food Service Handbook shall be issued to all Associate Wardens, Business Services, and CFMs, and maintained in inmate libraries.

54080.8 Emergency Food Supply

Each institution shall maintain, at all times, sufficient quantities of non-perishable food items, such as, canned stew, or pork-free beans, to serve at least eight meals to the inmate population in case of an emergency. If judged necessary, the emergency food supply may be maintained separate from general supplies. The emergency food supply shall be rotated into the menu within 12 months of purchase.

54080.9 Food Management System (FMS)

The Food Management System is the CDCR approved personal computer program for institutions. The FMS may be used to generate a quarterly food ration and cost analysis, and other reports using the Inventory Control, Recipe Production, and Menu Planner functions.

54080.10 Menus

The DFA shall develop and distribute menus semi-annually to the institutions. Copies of the standardized menus are to be maintained by the DFA for five years, including current year. In agreement with a low fat and low sodium menu plan, CDCR institutions serve pork free meals. The institution menus shall reflect the standardized menus in like food served, quantity, portion, size, color, flavor, and nutritional value, with particular attention to levels of fat and sodium to assure CDCR heart healthy goals. Established standardized menu substitution guidelines and policies shall be used when making menu substitutions. Institutions shall follow CDCR standardized recipes. Institution menus shall be generated in the office of the CFMs at least one week in advance and posted in locations accessible to staff and inmates. Any menu changes that vary from the standardized menu shall be noted in red ink on the approved standardized menu. This will become the "menu as served," and be forwarded to the DFA within 30 working days after completion of each quarter.

54080.11 Food Sampling

To maintain proper standards for the preparation and serving of foods in institutions, each institution head, or designee, shall designate an employee to sample all items of food prepared prior to service to the inmates. If the food sampler believes that a food item is not edible, they shall:

- Immediately notify the CFM or supervising correctional cook.
- Request that the item be immediately checked and appropriate action taken.
- Complete the Meal Sample Report generated by the FMS.

54080.11.1 Meal Sample Report

The Meal Sample Report shall be generated from the CFM and completed by the individual designated to sample the meal. Inmates, randomly selected, should also sample meals. A report shall be completed for each meal served and submitted to the CFM and Associate Warden, Business Services, or designee. The report shall include at least the following:

- Date items sampled.
- Copy of menu for the meal.
- Description of replacement items, if applicable.
- Signature of sampling employee or inmate.

54080.11.2 Retention of Food Samples

The CFM shall retain a sample of each food item served to the inmates to determine which food items may be the source of contamination in the event of alleged food poisoning or infection. These meal samples are to be retained at all kitchens and serving units. At the serving of each meal, a tray with a minimum of four ounces of each food item offered shall be prepared, covered with plastic or aluminum wrap, dated, and stored in a specified locked section of a secure refrigerator where it shall be retained for a 72-hour period for cook/serve operations, and 120 hours for cook/chill operations. In case of allegations of food poisoning or infection, these samples shall be made available for analysis by institution medical staff or a representative from DHS. Each CFM shall maintain an approved food sampling kit in the food service area for use in the event of a food borne illness outbreak.

54080.12 Pork/Pork Derivatives

In agreement with a low fat and low sodium menu plan, CDCR institutions shall serve pork-free meals. Therefore, pork or pork derivatives are not included in CDCR institution recipes or on CDCR standardized menus. CDCR Camps may be provided food from other sources. As a result, pork may be part of Camp meals. If pork is served in a camp, the camp food services staff shall identify all inmate menu items containing pork and/or pork derivatives for the benefit of those inmates desiring a pork-free diet for religious reasons. Food services staff shall implement and enforce the identification of all food items containing pork, or prepared or seasoned with pork derivatives with a "P" on the menu. If there is uncertainty as to whether an item contains pork, it shall be identified with an asterisk (*). Menus shall be prominently displayed.

54080.13 Foods for Religious Events

Inmate religious groups shall not be permitted more than two events each year where foods with recognized religious significance are provided by the institution in place of the regularly planned meal. These event meals must be approved and sponsored by a Chaplain. A Chaplain means a local Institution Chaplain, or their designee representing the religious group. The cost of such meals for a religious event should not exceed that of the meal replaced.

At least 30 days, but no more than 90 days, prior to the event, the Chaplain of the approved religious group must submit a written request to the institution head, or designee, which includes at least the following:

- Date of event.
- Location of event.
- Proposed menu.
- Specific ceremonial foods.
- Number of inmates, and when applicable, guests to be served.

54080.14 Institution Religious Diet Program

Each institution shall make reasonable efforts, as required by law, to accommodate those inmates who have been determined to require a religious diet.

- Religious meals shall not be restricted from inmates based on their classification or housing placement.
- If a medical diet is prescribed for an inmate, it shall take precedence over the religious diet.
- The inmate's ability to continue participating in a Religious Diet Program shall be transferred to other CDCR institutions.

- Each institution shall provide ongoing religious awareness training for custody and food service staff, and others as appropriate. This may be provided in regularly scheduled In-Service Training, Equal Employment Opportunity training, or on-the-job training.
- No staff may disparage an inmate's religion or religious views, or attempt to dissuade an inmate from participating in the Religious Diet Program.
- Early call may be used, and is encouraged, for serving religious diets.
- The Religious Diet Program will consist of at least two distinct options:
 - A vegetarian diet program.
 - A Jewish kosher diet program.

Religious Vegetarian Diet Program

Religious vegetarian meals shall be available at all CDCR institutions statewide. Institution religious vegetarian meals shall be lacto-ovo vegetarian (includes dairy products and eggs), and may contain fish when it appears on the menu. Inmates with determined religious dietary needs and showing a Religious Diet Card shall be provided with an approved vegetarian protein alternate, often from that same days' scheduled meal.

Jewish Kosher Diet Program

A Jewish kosher diet program shall be established at designated CDCR institutions statewide, for Jewish inmates desiring to practice Jewish kosher law.

- Each designated institution with a Jewish kosher diet program shall endeavor to have a Jewish Chaplain or Rabbi employed at all times. In the absence of a Jewish Chaplain, the institution shall either make arrangements to utilize the services of a CDCR Jewish Chaplain from a neighboring institution, or consult with the Boards of Rabbis of Northern or Southern California.
- If a Jewish inmate is housed at an institution that does not have a Jewish kosher diet program, he/she may, upon request, be considered for transfer to another institution that meets their kosher need and classification.
- A Jewish Chaplain, Rabbi, representative(s) of the Boards of Rabbis of Northern or Southern California, or their designee, shall make the determination on entry into the Jewish kosher diet program, oversee the program, and determine inmate compliance violations.
- Each designated institution shall arrange for appropriate training for all inmate workers, and custody and food service employees involved in the supervising, ordering, preparation and serving of Jewish kosher meals.
- The observance of Passover constitutes a single religious event requiring, kosher Passover foods be provided during the eight days of observance.
- All designated institutions shall adhere to the CDCR standardized Jewish kosher menus and approved procedures for purchasing, preparing and serving Jewish kosher meals.
- The Jewish kosher diet program shall otherwise be administered in accordance with the provisions of this Article.

Oversight Responsibilities

A Jewish Chaplain, Rabbi, representative(s) of the Boards of Rabbis of Northern or Southern California, or their designee shall oversee the kosher diet program in order to assure the program is following CDCR policy and procedures and kosher laws. Oversight responsibilities include:

- Reviewing each institution's Jewish kosher diet program annually for compliance with kosher law and CDCR policy. Results of the review shall be provided to the Correctional Food Manager.

Observance of Jewish Fasting Days

Inmates participating in the Jewish kosher diet program shall have the option to fast on a recognized Jewish fasting day, for the period required by that day. The Jewish Chaplain will provide food services with a list of those participating at least three days ahead of the intended fast. A Jewish Kosher inmate who chooses to fast will not be provided any regular meals for the recognized fasting day. The fasting inmate will instead be provided with an approved sack meal, to be eaten at the end of the fasting period. The sack meal will be equivalent to two (2) kosher sack lunches. Under no circumstances can the inmate give away, trade, or sell a sack meal. Doing so may result in a compliance violation of the Religious Diet Program Agreement.

The following are recognized Jewish fasting days:

Yom Kippur (Day of Atonement) – A 25-hour fast, from sunset to the following sunset. Observed in early fall on the 10th day of the Jewish month of Tishrei.

Fast of Tisha B'Av – A 25-hour fast, from sunset to the following sunset. Observed in the late summer on the 9th day of the Jewish month of Av.

Fast Of Esther – A short fast, from sunrise to sunset of the same day. Observed in early spring on the 13th day of the Jewish month of Adar.

Fast of the 17th of Tammuz – A short fast, from sunrise to sunset of the same day. Observed in early summer on the 17th day of the Jewish month of Tammuz.

Fast of Gedaliah – A short fast, from sunrise to sunset of the same day. Observed in the early fall on the 3rd day of the Jewish month of Tishrei.

Fast of 10th of Tevet – A short fast, from sunrise to sunset of the same day. Observed in winter on the 10th day of the Jewish month of Tevet.

Participation in a Religious Diet Program

A Religious Diet Card will be issued to the inmate by the Chaplain, or their designee. The Religious Diet Card shall follow the inmate if he/she is transferred to another CDCR institution.

At each meal, a positive check list will identify the inmates that have received a religious meal. This list may be used to issue a CDC Form 128-B, General Chrono, for Religious Diet Program Non-Compliance.

The following CDCR forms shall be used:

- Religious Diet Request (used for all religious diet requests)
- Religious Diet Program Agreement
- Religious Diet Program Agreement - Notice of Non-Compliance
- Religious Diet Cancellation Request

Inmate Responsibilities

Inmates have the responsibility to:

- Complete a CDCR Religious Diet Request form and submit it to the appropriate Institution Chaplain, or designee.
- Show their Religious Diet Card obtained from the Chaplain, or designee when receiving a religious meal.
- Follow the conditions in the signed Religious Diet Program Agreement.

Chaplain Responsibilities

Chaplain means a local Institution Chaplain, or their designee representing the religious group. Upon receiving a completed inmate's "Religious Diet Request" form, the Chaplain, or their designee shall:

- Ensure that no more than 15 calendar days shall pass from the day the Chaplain receives the completed "Religious Diet Request" in which a determination of program eligibility is made, and an accepted inmate begins receiving the religious meals requested.

- Interview the inmate to explain the two religious diet options (including what the meals consist of, and determine Religious Diet Program eligibility).
- If Religious Diet Program eligibility is determined, explain the Religious Diet Program Agreement.
- Have the inmate sign all required documents. Document an inmate's refusal to sign any of the required documents.
- Complete and distribute the Religious Diet Request, and if applicable the Religious Diet Program Agreement as indicated on the forms, within two working days.
- Notify the inmate of the decision in writing (by copy of their Religious Diet Request).
- Enter pertinent information for each inmate approved to participate in the Religious Diet Program onto a religious diet participant list within 24 hours of approval. Food Service will begin serving those approved for religious meals normally within two days of receiving this notification.
- Along with food service staff, regularly monitor the religious diet lists to ensure that all participating inmates are served their religious dietary meals with minimal delay.
- Update the list identifying inmate religious diets every 30 days and provide the list to the CFM.
- Coordinate with the CFM to determine which dining area will provide the inmate his/her meals.
- Provide each approved inmate with a Religious Diet Card. Collect Religious Diet Cards that are no longer valid.
- Meet with inmates, giving them the opportunity to respond to allegation(s) of noncompliance with Religious Diet Program. Utilize the Religious Diet Program Notice of Noncompliance form.

Monitoring for Religious Diet Program Inmate Compliance

Any staff may report an incident of an alleged inmate Religious Diet Program Agreement compliance violation. The incident report must be in writing using a CDC Form 128-B, General Chrono, citing CCR, Title 15, Section 3054. All written reports shall be sent to the appropriate Chaplain who shall make the final determination of continuing eligibility.

54080.15 Meals Served to Non-Inmates

The meal charge for state employees and persons other than official guests in state-operated dining rooms maintained and operated for inmates shall be \$.85 plus sales tax. The meal charge for institution-operated employee dining rooms shall be in accordance with this section.

54080.15.1 Reimbursement for State Purchased Food

Outside guests attending inmate banquets, luncheons, or other special events where state-purchased food is provided shall be charged a minimum of \$.85 plus sales tax per meal, per guest. Funds collected in excess of \$.85 plus sales tax, for the event shall be accompanied by a statement, signed by a non-inmate representative of the group, which reads: "We donate the sum of \$ _____ to the Inmate Welfare Fund." If the cost of the meals exceed the allowance of \$.85 per meal, an additional charge to the inmate group's trust account shall be made in accordance with this section.

54080.15.2 Institution Operated Employee Dining Rooms

In institution-operated employee dining rooms, meal charges shall be set by the institution and shall reflect the actual cost of serving an average meal, including staffing costs. Employee dining rooms shall not be allowed to operate at a loss.

54080.15.3 Employee Meetings

At conferences, workshops, training classes, or other employee meetings held at an institution, coffee and/or other beverages may be served only if the total cost for the refreshments is paid by the participants.

54080.15.4 Official Guests

Representatives of any city, county, state, federal, or foreign government who are guests of CDCR, and official staff who are inspecting the food services operation may be provided a sample of the meal served to inmates free of charge. Examples include persons on a grand jury, state legislators, officials of foreign prisons, or official CDCR or state inspectors.

54080.15.5 Group Visits and Tours

Meals may be served to participants of tours or visitors of approved groups in accordance with this section.

54080.16 Employee Uniforms

Food service staff, supervising correctional cooks, correctional supervising cooks, correctional bakers, correctional butcher/meat cutters shall wear the CDCR-approved uniform to distinguish them from inmates assigned to food-service duties. This uniform shall consist of:

- TROUSERS: dark brown, equivalent to Big Mac or Levis. Not tight-fitting.
- SHIRTS: tan, equivalent to Big Mac or Levis with the CDCR patch over the left breast pocket.
- CAPS: solid brown, baseball type, to match clothing, with the CDCR patch and the employee classification rocker arm above/atop the patch.
- JACKETS: brown color with the CDCR patch on the left breast.
- SHOES: brown or black, smooth leather. Soles must be oil resistant and non-skid type, no buckles or design (no cowboy, tennis, or gym-type shoes or boots).
- BELT: black or dark brown.
- WHISTLE: gold or chrome or black in color; metal only.
- ALARM HOLDER: black leather.
- DEPARTMENTAL NAME PLATE

The following items are optional:

- SMOCK: tan with CDCR patch over the left breast.
- JUMPSUIT: solid brown with CDCR patch over the left breast.

Employees shall report to their assigned area in clean uniforms, which are in good condition.

54080.17 Inmate Smocks /Aprons

Each inmate food handler shall be provided a clean white smock or apron and other appropriate clothing. Such garments will be maintained in the food service area and stored in a sanitary manner separate from personal clothing.

54080.18 Sanitation Standards

Sanitation standards are based on the H&SC. Standards for sanitation, sanitation training, purchasing, receiving, storage, preparation, holding, and serving of food shall meet the requirements set forth in the most current H&SC, Sections 113975 through 114180 (California Uniform Retail Food Facilities Law (CURFFL)), the State law regulating food establishments and facilities, and CDCR food service policy. The CFM is responsible for ensuring compliance with all standards at their respective institutions.

54080.18.1 Sanitation Inspection

An inspection of the food service area of each institution/camp shall be performed at least every year by a state-registered sanitarian with the environmental health section of the DHS. Administrative audits may be conducted throughout the year at various institution locations on a rotating basis.

Institution Head, or Designee

The institution head, or designee, shall inspect the institution/camp kitchens at least once each month, record the findings on an institutional inspection report form, and keep the report on file for inspection by the DFA or state sanitarian.

Correctional Food Manager

The CFM, or designee shall prepare a weekly sanitary inspection and report using the institutional inspection form. This report shall be kept on file at the institution for a minimum of two years. Additional inspections of the food service area shall be performed by institutional staff as often as necessary to enforce food service standards.

54080.18.2 Suspected Foodborne Illness Outbreak Procedures

Each institution/camp shall adopt the statewide standardized Suspected Foodborne Illness Outbreak Operational Procedures (FBI) issued October 2004. The CFM shall ensure that all procedures pertaining to food service responsibilities are enforced, including the maintenance of a food sampling kit. A copy of the FBI procedures shall be located in the Food Service Handbook in the central kitchen.

54080.19 Food Service Training

The CFM is responsible to ensure that an adequate food service employee training program is in effect, and that all food service personnel participate in the required training.

In accordance with CURFFL, each institution must have at least one staff working in food services that has successfully passed an approved and accredited food safety certification examination. The CDCR encourages food safety certification and/or training of all food service staff, culinary custody staff, and inmate workers.

Methods of training shall include verbal and written instruction and demonstration, and shall include technical and safety instruction regarding inmate food service worker responsibilities.

Hazardous materials training shall be provided to all food service staff to ensure the safe handling of hazardous materials. The institution fire department is responsible for providing training to all food service staff including inmate workers.

The CFM shall maintain Material Safety Data Sheets (MSDS) in all areas where chemicals are used. Food service staff and inmates shall be trained on the MSDS program so they understand the hazardous properties of the chemicals they work with.

54080.20 Health and Safety Law and Regulations

A Hazard Analysis Critical Control Point (HACCP) program shall be developed and followed at each institution/camp to ensure food safety. The HACCP program shall include written policies and procedures and a system for assuring compliance. The Critical Control Points shall be identified in the program as well as corrective action procedures.

Food handlers (staff and inmates) shall be instructed on the importance of sanitation, personal hygiene, and the safe preparation and service of food. Food handlers shall have clean hands and fingernails, wear hairnets or caps that entirely cover their hair, wear clean garments, be in good health, and follow hygienic food handling practices as required in CURFFL.

A medical clearance shall be required prior to placing an inmate in a food handling assignment. Food service correctional officers and correctional cooks shall hold daily inspections of all workers who handle food for cleanliness, open sores, proper clothing, hair nets (covers) or any condition that may contaminate the food. Inmates found to have open sores or other conditions that may contaminate food shall be referred to the institution's health care services staff for examination. Medical clearance shall be obtained prior to their return to work. Staff found to have open sores or other conditions that may contaminate food shall be excluded from any type of food handling or preparation until they are no longer considered contagious.

All food handlers shall be instructed on the importance of proper hand washing. Hand washing signs shall be posted in all food service restrooms. Enforcement of proper and frequent hand washing of inmate workers and staff shall be a priority of the CFM.

The temperature of refrigeration units and dishwashing machines shall be recorded daily on the log maintained by the CFM for a minimum of two years. Dishwashing machines shall be inspected daily to ensure proper operation. This inspection is also noted on the log. Refer to the Food Service Handbook and CURFFL for further information.

54080.21 Restricted Food Items

Supervisory food service staff shall ensure that restricted food items that may be used to produce alcohol are stored in a lockable receptacle, caged area, and/or maintained in a locked supply room. Supervisory food service staff shall also provide a method to strictly control and provide direct supervision of inmates handling any restricted food item. Restricted food items include, but are not limited to: yeast, sugar, bread/pastry dough, and heavy syrup canned fruit.

Supervisory food service staff shall maintain a running inventory log of all restricted items. The log shall indicate the date, time, and amount of supplies, either dispensed, used, or received and the name of the staff authorizing the transaction.

54080.22 Revisions

The Food Service Administrator, or designee, shall be responsible for ensuring that the contents of this article are kept current and accurate.

54080.23 References

PC § 2084

H&SC §§ 113975 through 114180 (California Uniform Retail Food Facilities Law)

CCR, Title 15, §§ 3050, 3051, 3052, 3053, 3054 and 3055; Title 8, California Administrative Code (Industrial Safety Standards)

ACA Standards, §§ 3-4294 through 3-4309

CDCR Food Service Handbook

Food and Nutrition Board of the National Academy of Sciences, Recommended Dietary Allowances

Food and Nutrition Board of the Institute of Medicine, National Academy of Science, Dietary Reference Intakes

U.S. Public Health Standards

FDA Codes